

	THEFT & SHOPLIFTING	Operations Order 7.30.00
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1. **GENERAL INFORMATION** – Patrol officers will initially respond and take an original incident report for calls involving Theft and Shoplifting.
 - A. Officers will also be responsible for any follow-up and/or interviews that should have been completed at the time of the initial response.
 - B. The Property Crimes Bureau will be responsible for other investigative follow-up that results from the original incident report.
2. **THEFT STATUTES** - Theft statutes are located in [Arizona Revised Statutes \(ARS\), Title 13, Chapter 18](#).
 - A. [Theft, ARS 13-1802](#)
 - (1) Where the value of the property or services stolen is less than \$1,000, it is a class 1 misdemeanor, unless the item stolen is a motor vehicle, firearm, or was taken from the person of another, or is a dog taken for the purpose of dog fighting in violation of section [ARS 13-2910.01](#), in which case the theft is a class 6 felony.
 - (2) Refer to [Operations Order 1.9.00, Arrest](#), for reduced prosecution procedures.
 - B. Documentation
 - The Incident Report (IR) should have the appropriate offense code (ARS 13-1805, Shoplifting, ARS 13-1814, Theft of Means of Transportation, etc.) selected from the “Offense” drop-down box to insure proper routing.
 - A Citizens Mail-In Supplement Form 80-114D will be given to victims of any theft.
 - C. Notification - Officers who respond to a call of theft, burglary, or robbery at a retail business or pawn shop, in which firearms have been taken, contact the Violent Crimes Bureau (VCB) desk sergeant and obtain the contact for the on-call Crime Gun Intelligence Unit (CGIU) on-call supervisor. Once notified, CGIU personnel will notify the Bureau of Alcohol Tobacco and Firearms (ATF) immediately and coordinate a response, when necessary.
 - ATF requests that crime scene processing be suspended until an ATF agent arrives to participate jointly in the investigation.
3. **THEFT OF MOTOR FUELS/THEFT OF PARKING LOT FEE/FAILURE TO RETURN RENTAL PROPERTY/CONVENIENCE MARKET THEFTS**

A. General Procedures

(1) Theft of Motor Fuels	Field officers will not take misdemeanor gasoline theft reports from those stations using self-service/post pay as the primary method to dispense motor fuels.
(2) Theft of Parking Lot Fee	Field officers will not take misdemeanor parking lot fee theft reports from those parking lots where an hourly, daily, or monthly charge for parking is utilized on a self-service method of parking customers' vehicles.
(3) Failure to Return Rental Property	Field officers will not take failure to return rental property theft reports from rental stores, including videotape and equipment rentals. Complainants will be advised to contact either the North Property Investigations Unit at 602-495-5001 or the South Property Investigations Unit at 602-495-5003 for assistance Monday through Friday, during normal business hours, 8 a.m. to 5 p.m.

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3. A. General Procedures (continued)

(4) Convenience Market Thefts	- Field officers will take misdemeanor theft reports at convenience markets when immediate follow-up information is available. - Immediate follow-up must include specific suspect description and method/direction of travel and either vehicle description with license plate information, or any information that would provide a reasonable likelihood of follow-up or apprehension. - If the necessary suspect or follow-up information is not available, then a general broadcast will be made. - Thefts must be reported in a timely manner (for example, immediately after the theft or as soon as possible) to allow a likelihood of apprehending suspects.
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4. **THEFT OF SERVICES**

A. Notification – Violation of oral or written agreements between individuals may be either civil or criminal; refer to [ARS 13-1802](#) A. 3 and 6 for clarification.

B. Types of services rendered or obtained include, but are not limited to, the following:

- Labor
- Professional services
- Cable television
- Gas or electric services
- Computer or communications services
- Hotel/motel accommodations
- Restaurants
- Transportation and use of vehicles or other movable property

C. Investigation Procedures

(1) When responding to calls, officers should ask victims the following:

- Type of agreement made (verbal or written)
- Type and details of services performed
- Payment agreed to and if it was received
- Any other pertinent information to the investigation

(2) Officers will complete a report if the elements of a crime exist.

D. Jurisdiction – Offenses involving theft of services will only be investigated if the crime took place inside the City.

- If the crime took place outside the City, the complainant should be referred to the correct law enforcement agency in the jurisdiction where the crime occurred.

5. **THEFT FROM VEHICLES**

A. Documentation

(1) If vehicles are parked on the street, a separate IR will be entered for each vehicle when more than one vehicle is involved.

(2) If several vehicles are parked off the street in the same general area, only one IR will be completed.

- All the victims, vehicles, and missing property will be listed in the one IR ensuring the appropriate “Related Person” is selected for each vehicle.

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5. B. License Plate Procedures

(1) Stolen License Plates	- Officers will seize and impound stolen plates from vehicles they have legal access. - An IR/Incident Supplement and a Stolen/Recovered Vehicle or Plate Easy Form will be completed to document the recovered stolen license plate. - An IR and a Stolen/Recovered Vehicle or Plate Easy Form will be completed to report stolen license plates. - For states that issue two plates but only one plate is reported stolen, the officer must obtain the complainant's assurance that the remaining plate will not be used on the vehicle before the theft can be entered into the Arizona Crime Information Center (ACIC)/National Crime Information Center (NCIC).
(1) Stolen License Plates (Continued)	- Officers will document this information in the IR and in the "Further Description" text box of the Stolen/Recovered Vehicle or Plate Easy Form. - License number, year issued, and the issuing state are required - Completed Stolen/Recovered Vehicle or Plate Easy Forms will be sent to the Centralized Automated Records (CARS) Unit for entry into/removal from ACIC/NCIC. - Stolen license plates will remain in ACIC/NCIC for one year after the expiration date of the current sticker.
(2) Lost License Plates	- If a complainant states the plate was lost, a Field Interview (FI) will be completed. - Lost plates cannot be entered into ACIC/NCIC per the Arizona Criminal Justice Information System (ACJIS) policy.
(3) Found License Plates	- Found license plates will be returned to the rightful owner prior to the end of an officer's shift, if possible. - If the owner cannot be located, the plates will be impounded. - If the found license plate has already been reported lost or stolen, an Incident Supplement will be completed; otherwise an FI will be completed to document the found license plate.

6. **THEFT OF CREDIT CARD REPORTS AND INVESTIGATIONS** - Refer to TM3, Forgery Investigations.

7. **THEFT OF BICYCLES**

- A. A complete description and value of the bicycle will be included in the Property section of the IR.
- B. When a collection of bicycle parts or stripped frames are found or observed under suspicious circumstances, officers will attempt to obtain as much information as possible concerning frame numbers, license numbers, the names of the owner or the property where the parts are located, descriptions of the parts, etc., and will complete an IR.

8. **SHOPLIFTING, [ARS 13-1805](#)**

- A. In shoplifting cases where the subject was detained by a private citizen, the officer, **not** the citizen, is required to tell the subject they are under arrest, after determining that probable cause exists.

B. Misdemeanor Shoplifting

- (1) The case will be submitted for prosecution as a misdemeanor for any of the following:
- The value of the property taken is **less** than \$1,000
 - The property taken is not a firearm.
 - The offender is eligible for reduced prosecution.
 - Felony criteria is not met.

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8. B. (2) Officers may book or, in most instances, issue an Arizona Traffic Ticket and Complaint (ATTC) as a citation in lieu of detention (CLD) (see [Operations Order 7.6.00, Arizona Traffic Ticket and Complaint](#) for more information).

(3) An IR will be completed.

(4) When possible, original store reports will be obtained and scanned and attached to the IR as a "Document."

C. Felony Shoplifting

(1) The case will be submitted for review as a felony for any of the following:

(a) The property has a value of \$1,000 or more.

(b) The property is a firearm.

(c) The current shoplifting offense involves entering with an artifice, instrument, container, device, or other article: for example, a booster bag, that was intended to facilitate shoplifting.

(d) The suspect has been convicted within the past five years of two or more offenses involving shoplifting, theft, burglary, or robbery.

(2) When any of the felony criteria is met, the suspect may be:

(a) Booked only after authorization is made by a sergeant.

(b) Released following the below procedures:

- If the LiveScan system is available, it will be utilized to obtain a set of fingerprints.
 - * Full face and profile photographs of the suspect will also be taken.
 - * If the LiveScan system is not available, a full set of fingerprints (including palms), using the FBI criminal fingerprint card (FD-249), and photographs (full face and profile) will be obtained.

(c) An IR that includes any prior conviction information will be completed.

Last Organizational Review:

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